

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

PENNY KENNEDY,
et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 2:03-0175

UNITED STATES OF AMERICA,
et al.,

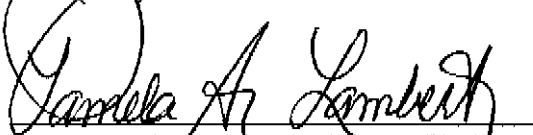
Defendants.

**STIPULATION AND MOTION FOR
SUBSTITUTION OF COUNSEL**

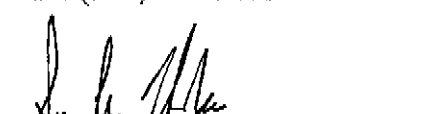
A conflict of interest has arisen between the Plaintiff and the law firm of LAMBERT & NEW and specifically with Pamela A. Lambert. Pursuant to Rule 2.03 of the Local Rules of the U.S. District Court for the Southern District of West Virginia, Pamela A. Lambert, of LAMBERT & NEW, and Samuel A. Hrko, of THE SEGAL LAW FIRM, counsel of record for the Plaintiffs herein, herewith stipulate each with the other that Samuel A. Hrko, of THE SEGAL LAW FIRM, shall herewith be substituted as counsel for Plaintiffs in lieu of the law firm of LAMBERT & NEW, subject to approval of this Court. Both counsel herein therefore move this Court to enter an order withdrawing the appearance of the law firm of LAMBERT & NEW as counsel of record for the Plaintiffs, and substituting THE SEGAL LAW FIRM as Plaintiffs' counsel.

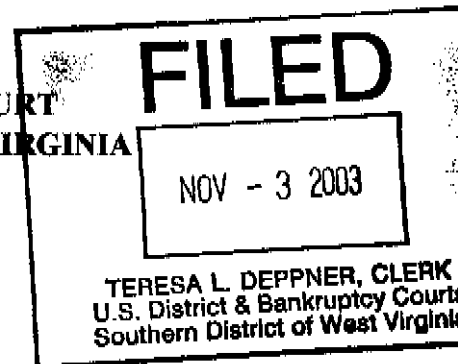
DATED at Gilbert, West Virginia, this 4th day of September, 2003.

LAMBERT & NEW
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Gilbert, West Virginia 25621
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By: PAMELA A. LAMBERT #2128

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By: SAMUEL A. HRKO #7727



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Defendants.

CERTIFICATE OF SERVICE

I, Samuel A. Hrko, do hereby certify that I have served a true and accurate copy of the foregoing **STIPULATION AND MOTION FOR SUBSTITUTION OF COUNSEL** to all counsel of record this 31st day of October, 2003 via United States Mail, postage prepaid as follows:

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SAMUEL A. HRKO (W.V. BAR # 7727)